

**Title 12: CONSERVATION**

**Chapter 901: DEFINITIONS**

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**Maine Revised Statutes**  
**Title 12: CONSERVATION**  
**Chapter 901: DEFINITIONS**

**§10001. DEFINITIONS**

As used in this Part, unless the context otherwise indicates, the following terms have the following meanings. [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

**1. Aircraft.** "Aircraft" means a machine or device designed for flight.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**2. Alien.** "Alien" means a person who is not a citizen of the United States.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**3. Antlerless moose.** "Antlerless moose" means a moose without antlers or a moose with antlers that are shorter than its ears.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**3-A. Aquarium.** "Aquarium" means an enclosed container used in importing, possessing or displaying nonnative and exotic species of fish or other aquatic organisms that has a closed operating system, that is located within a home, exhibition building or other permanent all-season structure and that does not allow the discharge of water or aquatic organisms into the inland waters of the State.

[ 2003, c. 655, Pt. B, §1 (NEW); 2003, c. 655, Pt. B, §422 (AFF) .]

**4. Artificial lure.** "Artificial lure" means a fishing lure constructed by humans as an imitation of or substitute for natural bait or fish forage. "Artificial lure" includes, but is not limited to, artificial flies, spinners, spoons, poppers, plugs, jigs and plastic, rubber or other artificial imitations of natural bait.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**5. Atlantic salmon.** "Atlantic salmon" means the anadromous fish species *Salmo salar* that customarily migrates from inland waters to the ocean as part of its life cycle.

[ 2007, c. 240, Pt. QQ, §11 (AMD) .]

**6. Baitfish.** "Baitfish" means only those species in the following list:

A. Lake chub, (*Couesius plumbeus*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

B. Eastern silvery minnow, (*Hybognathus regius*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

C. Golden shiner, (*Notemigonus crysoleucas*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

D. Emerald shiner, (*Notropis atherinoides*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

E. [2015, c. 298, §1 (RP).]

F. Common shiner, (*Luxilus cornutus*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

G. Blacknose shiner, (*Notropis heterolepis*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

H. Spottail shiner, (*Notropis hudsonius*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

I. Northern redbelly dace, (*Phoxinus eos*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

J. Finescale dace, (*Phoxinus neogaeus*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

K. Fathead minnow, (*Pimephales promelas*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

L. Blacknose dace, (*Rhinichthys atratulus*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

M. [2015, c. 298, §1 (RP).]

N. Creek chub, (*Semotilus atromaculatus*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

O. Fallfish, (*Semotilus corporalis*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

P. Pearl dace, (*Margariscus margarita*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

Q. Banded killifish, (*Fundulus diaphanus*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

R. Mummichog, (*Fundulus heteroclitus*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

S. Longnose sucker, (*Catostomus catostomus*); [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

T. White sucker, (*Catostomus commersoni*); and [2015, c. 298, §2 (AMD).]

U. [2015, c. 298, §3 (RP).]

V. American eel, (*Anquilla rostrata*). [2007, c. 159, §1 (AMD).]

W. [2007, c. 159, §1 (RP).]

[ 2015, c. 298, §§1-3 (AMD) .]

**7. Baitfish trap.** "Baitfish trap" means a device used to take baitfish fitted with rigid entrance or exit holes and having a volume no greater than 50 cubic feet.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**8. Bear bait.** "Bear bait" means an animal or plant or derivative of an animal or plant used to attract bear. "Bear bait" does not include packaging or container materials that fall within the definition of litter under Title 17, section 2263.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**9. Boundary waters between Maine and New Brunswick.** "Boundary waters between Maine and New Brunswick" means:

A. In Aroostook County: St. Francis River; Glazier Lake; St. John River; Monument Brook; North Lake; the thoroughfare between North Lake and East Grand Lake; and East Grand Lake; and [ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF). ]

B. In Washington County: East Grand Lake; Mud Lake; St. Croix River; Spednic Lake; and Grand Falls flowage. [ 2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §2 (AMD); 2003, c. 655, Pt. B, §422 (AFF). ]

[ 2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §2 (AMD); 2003, c. 655, Pt. B, §422 (AFF) . ]

#### **10. Closed season.**

[ 2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §3 (RP) . ]

**10-A. Commercially.** "Commercially" means, with regard to the buying, selling, bartering or trading of wildlife parts, for the purpose of resale or profit or receiving any form of remuneration.

[ 2013, c. 333, §1 (NEW) . ]

**11. Commissioner.** "Commissioner" means the Commissioner of Inland Fisheries and Wildlife.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

**12. Department.** "Department" means the Department of Inland Fisheries and Wildlife.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

**12-A. Dip net.** "Dip net" means:

A. Except when taking smelts in a tributary or within 100 feet of the mouth of a tributary, a device consisting of a rigid frame filled with netting, firmly attached to a rigid handle and manually operated by a single person; and [ 2005, c. 237, §1 (NEW) . ]

B. When used to take smelts in a tributary or within 100 feet of the mouth of a tributary, a device consisting of a rigid circular frame that is not more than 24 inches in diameter as measured at any point on the hoop, filled with netting, firmly attached to a rigid handle and manually operated by a single person. [ 2005, c. 237, §1 (NEW) . ]

[ 2005, c. 237, §1 (RPR) . ]

**13. Domicile.** "Domicile" means the place where a person's true, fixed and permanent home is located.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

**14. Drive deer or moose.**

[ 2013, c. 408, §1 (RP) . ]

**15. Drowning set.** "Drowning set" means a trap set for wild animals that is:

A. Set completely underwater; and [ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

B. Rigged in such a way as to reasonably ensure the drowning of any species of trapped furbearer that would reasonably be expected to visit the set location and be held in the type of trap used at the set.  
[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF). ]

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

**16. Eel.** "Eel" means a member of the species *Anguilla rostrata* in that stage of its life cycle when it is 9 inches or more in length.

[ 2015, c. 298, §4 (AMD) . ]

**17. Eel pot.** "Eel pot" means a cylindrical or rectangular trap with funnels that is baited and used to harvest eels. An eel pot is 50 cubic feet or less in total volume and utilizes wire or slatting no smaller than 1/2 inch square measure.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

**18. Elver.** "Elver" means a member of the species *Anguilla rostrata* in that stage of its life cycle when it is less than 9 inches in length.

[ 2015, c. 298, §4 (AMD) . ]

**19. Endangered species.** "Endangered species" means a species of fish or wildlife that has been determined by the commissioner to be in danger of extinction throughout all or a significant portion of its range and that is listed as a state endangered species under section 12803, subsection 3.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

**20. Exotic.** "Exotic" means of foreign nature or character, not native.

[ 2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §4 (AMD); 2003, c. 655, Pt. B, §422 (AFF) . ]

**20-A. Finished wildlife products.** "Finished wildlife products" means tanned animal hides and finished taxidermy mounts, including full or partial body mounts or antlers mounted on a plaque.

[ 2013, c. 333, §2 (NEW) . ]

**21. Firearm.** "Firearm" means any instrument used in the propulsion of pellets, shot, shells or bullets by action of gunpowder, compressed air or gas exploded or released within it.

A. "Autoloading firearm" means a firearm that reloads itself after each shot and requires that the trigger be pulled for each shot. [ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

B. "Automatic firearm" means a firearm that will continue to fire as long as the trigger is held back.  
[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) . ]

**22. Fish, the noun.** "Fish" means a cold-blooded, completely aquatic vertebrate characteristically having gills, fins and an elongated streamlined body usually covered with scales and includes any physical part of a fish. The term refers to fish living predominantly in inland waters and to anadromous and catadromous fish while in inland waters. Whenever the name of a fish, such as "bass" or "trout," is used, it means the named fish or any of its physical parts.

[ 2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §5 (AMD); 2003, c. 655, Pt. B, §422 (AFF) .]

**23. Fish, the verb.** To "fish" means to take, catch, kill, molest or destroy fish or to attempt to take, catch, kill, molest or destroy fish.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**24. Fishing derby.** "Fishing derby" means an organized fishing event conducted on inland waters during which contestants compete for cash awards or other prizes.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**25. Fishway.** "Fishway" means an artificial device, including fish elevators, fish locks and fish ladders, used to enable fish to migrate upstream past dams, waterfalls, rapids or other obstacles.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**26. Fly.** "Fly" means a single, pointed hook dressed with feathers, hair, thread, tinsel or any similar material to which no additional hook, spinner, spoon or similar device is added.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**27. Fly-fishing.** "Fly-fishing" means casting upon water and retrieving in a manner in which the weight of the fly line propels the fly.

[ 2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §6 (AMD); 2003, c. 655, Pt. B, §422 (AFF) .]

**28. Guide.** "Guide" means a person who receives any form of remuneration for that person's services in accompanying or assisting a person in the fields or forests or on the waters or ice within the jurisdiction of the State while hunting, fishing, trapping, boating, snowmobiling, using an all-terrain vehicle or camping at a primitive camping area.

[ 2013, c. 88, §1 (AMD) .]

**29. Harass.** "Harass" means an intentional or negligent act or omission that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**30. Hook.** "Hook" means a single fishhook constructed with one, 2 or 3 points.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**31. Hunt.** To "hunt" means to pursue, catch, take, kill or harvest wild animals or wild birds or to attempt to catch, take, kill or harvest wild animals or wild birds.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**32. Hunter orange.** "Hunter orange" means a daylight fluorescent orange color with a dominant wave length between 595 and 605 nanometers, excitation purity not less than 85% and luminance factor of not less than 40%.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**33. Hunting equipment.** "Hunting equipment" means:

A. Firearms of any type that are permitted under the laws governing hunting, including muzzle-loading firearms; or [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

B. Archery equipment that is permitted under the hunting laws governing archery, including, but not limited to, recurved bows and compound bows. [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**34. Ice-fishing shack.** "Ice-fishing shack" means a temporary structure used for ice fishing on frozen inland waters.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**35. Inland waters.** "Inland waters" means all waters within the State above the rise and fall of the tide and wholly or partially within the territorial limits of the State, except private ponds as defined in subsection 51.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**36. Jacklight.** "Jacklight" means any artificial light used while hunting, except lights used and permitted under rules regarding raccoons under the authority of section 10104, subsection 1.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**36-A. Lamprey eel.** "Lamprey eel" means the species *Petromyzon marinus* (sea lamprey).

[ 2015, c. 298, §5 (NEW) .]

**37. Landlocked salmon.** "Landlocked salmon" means the subspecies *Salmo salar* Sebago that does not customarily migrate from inland waters to the ocean as part of its life cycle.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**38. Merrymeeting Bay.** "Merrymeeting Bay" means the waters of the Kennebec River bounded as follows: from the high-tension wires at Chop's Point to the first dam on the Androscoggin River, to the first road bridge on the Muddy, Cathance, Abbagadasset and Eastern Rivers and to the Richmond-Dresden Bridge on the Kennebec River, in the counties of Cumberland, Sagadahoc and Lincoln.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**39. Migratory game bird.** "Migratory game bird" means any of the following birds:

A. Anatidae, or waterfowl, including brant, wild ducks, geese and swans; [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

B. Columbidae, including doves, but not including rock doves, also known as rock pigeons; [2013, c. 280, §1 (AMD).]

C. Gruidae, or cranes, including little brown and sandhill cranes; [2013, c. 280, §1 (AMD).]



D. Limicolae, or shorebirds, including Wilson's snipe and American woodcock; and [2013, c. 280, §1 (AMD).]

E. Rallidae, or rails, including coots, gallinules and sora or other rails. [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

[2013, c. 280, §1 (AMD) .]

**40. Migratory waterfowl.** "Migratory waterfowl" means anatidae, or waterfowl, including brant, wild ducks, geese and swans.

[2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**41. Motor vehicle.** "Motor vehicle" means any motor-driven vehicle, except motorboats.

[2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**42. Muzzle-loading firearm.** "Muzzle-loading firearm" means a muzzleloader, a traditional muzzleloader or a muzzle-loading shotgun.

A. [2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §7 (RP).]

B. [2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §7 (RP).]

C. [2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §7 (RP).]

D. [2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §7 (RP).]

[2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §7 (RPR) .]

**42-A. Muzzleloader.** "Muzzleloader" means a firearm that:

A. Is capable of being loaded only through the muzzle; [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

B. Is ignited by a matchlock, wheel lock, flintlock or caplock, including an in-line caplock or shotgun or rifle primer mechanism; [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

C. Has a rifled or smooth-bored barrel or barrels, each barrel capable of firing only a single charge; [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

D. Propels a ball, bullet or charge of shot; and [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

E. May have any type of sights, including scopes. [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

[2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF) .]

**42-B. Muzzle-loading shotgun.** "Muzzle-loading shotgun" means a firearm that:

A. Is capable of being loaded only through the muzzle; [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

B. Is ignited by a matchlock, wheel lock, flintlock or caplock with an exposed ignition mechanism; [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

C. Has a smooth-bored single or double barrel, each barrel capable of firing only a single charge; [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

D. Is charged with black powder or black powder replica only; [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

E. Propels a load of shot for the purpose of fowling or small game hunting; [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

F. Propels a charge of buckshot, patched round ball or full-bore diameter lead bullet for purposes of big or small game hunting; and [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

G. May have only open or aperture sights. [2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

[ 2003, c. 655, Pt. B, §8 (NEW); 2003, c. 655, Pt. B, §422 (AFF) .]

**42-C. Naturally shed.** "Naturally shed" means naturally dropped from the animal without any human manipulation.

[ 2013, c. 333, §3 (NEW) .]

**43. Nonresident.** "Nonresident" means a person who does not fall within the definition of resident in subsection 53.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**44. Open firearm season on deer.** "Open firearm season on deer" means the time during which it is lawful to hunt deer with a firearm, including the special muzzle-loading season as described in section 11404.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**45. Open season.**

[ 2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §9 (RP) .]

**46. Organization.** "Organization" means a corporation, partnership or unincorporated association.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**47. Paved way.** "Paved way" means a public road treated with bituminous or concrete material.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**48. Person.** "Person" means a human being or an organization.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**49. Premises.** "Premises" includes lands, private ways and any buildings and structures located on the lands or private ways.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**50. Primitive camping area.** "Primitive camping area" means a camping location that does not have access to a water supply that is approved by the Department of Health and Human Services.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF); 2003, c. 689, Pt. B, §6 (REV) .]

**51. Private pond.** "Private pond" means an artificially constructed pond impounded within the limits of the riparian owner, even though the water is not supplied directly from a brook, stream or river. "Private pond" does not include a natural pond or lake having a surface area of more than 10 acres.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**52. Raptor.** "Raptor" means a bird of the order Strigiformes and of the families Accipitridae and Falconidae commonly called buteos, accipiters, falcons and owls.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**53. Resident.** "Resident" means a citizen of the United States or an alien who has been domiciled in the State for one year who:

- A. If registered to vote, is registered in this State; [2007, c. 651, §2 (AMD) .]
- B. If licensed to drive a motor vehicle, has made application for or possesses a motor vehicle operator's license issued by the State; [2007, c. 651, §2 (AMD) .]
- C. If owning a motor vehicle located within the State, has registered each such vehicle in the State; and [2007, c. 651, §2 (AMD) .]
- D. Is in compliance with the state income tax laws. [2007, c. 651, §2 (AMD) .]

A person who is a full-time student at a college or university in the State and has satisfied the requirements of paragraphs A to D is rebuttably presumed to be a resident in the State during that period.

[ 2009, c. 415, Pt. A, §8 (AMD) .]

**54. Salmon.** The word "salmon" standing alone without other identification means "landlocked salmon."

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**55. Seine.** "Seine" means an ordinary commercial-type minnow seine, not exceeding 1,200 square feet, used vertically to enclose baitfish when its ends are brought together or drawn ashore.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**56. Set line.** "Set line" means a line extending into the water and rigged to catch fish that has one end secured to the shore or to a fixed or buoyant object and that is not personally attended.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**57. Single-baited hook.** "Single-baited hook" means a single baited apparatus designed to catch only one fish at a time.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**58. Snagging.** "Snagging" means to fish by manipulating a hook or hooks in such a manner as to pierce or snag the fish in a part of the body other than the mouth.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**59. Sporting dogs.** "Sporting dogs" means sporting dogs as defined by the American Kennel Club, including pointers, retrievers, setters, spaniels, Vizslas, Weimaraners and wirehaired pointing griffons.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**59-A. Sucker.** "Sucker" means only the species *Catostomus commersoni* (white sucker) and the species *Catostomus catostomus* (longnose sucker).

[ 2015, c. 298, §6 (NEW) .]

**60. Sunrise.** "Sunrise" means the time computed and established for sunrise for Bangor, Maine, by the Nautical Almanac Office of the United States Naval Observatory, converted to the legal standard of time in force in this State on that day.

[ 2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §10 (AMD); 2003, c. 655, Pt. B, §422 (AFF) .]

**61. Sunset.** "Sunset" means the time computed and established for sunset for Bangor, Maine, by the Nautical Almanac Office of the United States Naval Observatory, converted to the legal standard of time in force in this State on that day.

[ 2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §10 (AMD); 2003, c. 655, Pt. B, §422 (AFF) .]

**62. Threatened species.** "Threatened species" means a species of fish or wildlife that has been determined by the commissioner as likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range and that is listed as a state threatened species under section 12803, subsection 3.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**62-A. Traditional muzzleloader.** "Traditional muzzleloader" means a firearm that:

A. Is capable of being loaded only through the muzzle; [2003, c. 655, Pt. B, §11 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

B. Is ignited by a matchlock, wheel lock, flintlock or caplock with an exposed ignition mechanism; [2003, c. 655, Pt. B, §11 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

C. Has a rifled or smooth-bored barrel or barrels, each barrel capable of firing only a single charge; [2003, c. 655, Pt. B, §11 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

D. Is charged with black powder or black powder replica only; [2003, c. 655, Pt. B, §11 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

E. Propels a lead ball, full-bore diameter lead bullet or charge of shot; and [2003, c. 655, Pt. B, §11 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

F. May have only open or aperture sights. [2003, c. 655, Pt. B, §11 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

[ 2003, c. 655, Pt. B, §11 (NEW); 2003, c. 655, Pt. B, §422 (AFF) .]

**63. Trap, the noun.** "Trap" means a device that is designed primarily to catch or hold wild animals, including, but not limited to, a foothold trap, a killer-type trap, a cage-type trap or a snare.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**64. Trap, the verb.** To "trap" means to set, place or tend a trap within the fields, forests or waters of the State, to kill an animal that is caught in a trap or to aid or assist another person in setting or placing a trap, tending a trap or killing an animal that is caught in a trap.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**65. Trap net.** "Trap net" means a funnel-shaped net designed to intercept and retain fish in a confined space.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**66. Tributary.** "Tributary" means a brook, stream or river flowing directly or indirectly into a lake, pond or another brook, stream or river. "Tributary" does not include a lake or great pond. The tributary to a great pond is not considered a tributary to the outlet of that great pond.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**67. Troll.** "Troll" means to fish by trailing a line rigged to catch fish behind a watercraft being propelled by mechanical, wind or manual power.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**67-A. Valid license or valid permit.** "Valid license" or "valid permit" means a license or permit lawfully obtained in the licensee's or permittee's name and signed by that person.

[ 2003, c. 655, Pt. B, §12 (NEW); 2003, c. 655, Pt. B, §422 (AFF) .]

**68. Weir.** "Weir" means a device placed in the inland waters of a river, stream or brook that is designed to entrap fish and that exceeds more than 1/3 of the wetted width of the channel.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**69. Wild animal.** "Wild animal" means a species of mammal, wild by nature, whether or not bred or reared in captivity, as distinguished from the common domestic animals, and includes any physical part of that species of animal. Whenever the name of a wild animal, such as "deer" or "bear," is used, it means the named wild animal or any of its physical parts.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**70. Wild bird.** "Wild bird" means a species of bird wild by nature, whether or not bred or reared in captivity, as distinguished from common domestic birds, and includes any physical part of that species of bird. Whenever the name of a wild bird, such as "pheasant" or "eagle," is used, it means the named wild bird or any of its physical parts.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**71. Wildlife.** "Wildlife" means any species of the animal kingdom, except fish, that is wild by nature, whether or not bred or reared in captivity, and includes any part, egg or offspring of the animal, or the dead body or parts of the animal. "Wildlife" includes wild animals and wild birds.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**72. Wildlife exhibit.** "Wildlife exhibit" means a place where wildlife is kept in captivity, either in an enclosure or by tether, upon any street or highway or upon land, public or private, for the evident purpose of exhibition or attracting trade. The term "wildlife exhibit" does not include the showing of an animal in connection with a theatrical exhibition, circus or agricultural fair.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**73. Wildlife management.** "Wildlife management" means the art or science of producing wild animals and birds and of improving wildlife conditions in the State. It may specifically include:

- A. Regulation of hunting and trapping; [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]
- B. Environmental controls, such as control of water, food, cover, special features and animal diseases; [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]
- C. Research or investigations to provide a basis for sound management in the State; [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]
- D. Manipulation of hunting pressure; [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]
- E. Establishment of game lands, such as parks, forests, refuges and game management areas; [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]
- F. Predator control; [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]
- G. Artificial replenishment, such as game farming and restocking; and [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]
- H. Introduction of exotic species of wild animals or birds where needed. [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**74. Wildlife management area.** "Wildlife management area" means a tract of land or body of water owned or leased by the department for the purposes of wildlife management as defined in subsection 73 or created by an act of the Legislature with the landowner's permission, and subject to the commissioner's authority under section 12701.

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

**75. Wolf.** "Wolf" means the Gray Wolf (*Canis lupus*).

[ 2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF) .]

#### SECTION HISTORY

2003, c. 414, §A2 (NEW). 2003, c. 414, §D7 (AFF). 2003, c. 552, §1 (AMD). 2003, c. 552, §15 (AFF). 2003, c. 614, §9 (AFF). 2003, c. 655, §§B1-12 (AMD). 2003, c. 655, §§B422,C2,6 (AFF). 2003, c. 689, §B6 (REV). 2005, c. 237, §1 (AMD). 2007, c. 159, §1 (AMD). 2007, c. 240, Pt. QQ, §11 (AMD). 2007, c. 651, §2 (AMD). 2009, c. 415, Pt. A, §8 (AMD). 2013, c. 88, §1 (AMD). 2013, c. 280, §1 (AMD). 2013, c. 333, §§1-3 (AMD). 2013, c. 408, §1 (AMD). 2015, c. 298, §§1-6 (AMD).

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